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SENATE BILL 1929

By Clabough

AN ACT to amend Chapter 27 of the Private Acts of 1967; as amended by Chapter 472 of the Private Acts of 1968 and Chapter 193 of the Private Acts of 1984; and any other acts amendatory thereto, relative to the City of Maryville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter No. 27 of the Private Acts of 1967, as amended by Chapter No. 472 of the Private Acts of 1968 and Chapter No. 193 of the Private Acts of 1984, and any other acts amendatory thereto, is further amended by adding in Article II, Section 1, after Item (36), the following language as a new, appropriately numbered item:

(37)

(A) To adopt by ordinance or resolution a comprehensive program to plan and coordinate the maintenance and expansion of public infrastructure facilities. The fundamental purpose of such program shall be to ensure that all such maintenance and expansion occurs in a manner that is orderly, incremental, efficient, effective, environmentally sound, and fiscally responsible.

(B) To adopt by ordinance or resolution such definitions, threshold standards, policies, and procedures as may be reasonably necessary in order to

make approval of any proposed commercial, industrial, or residential development contingent upon the adequacy of public infrastructure facilities to concurrently accommodate increased demands likely to occur as a result of the proposed development. The fundamental purpose of such adequate facilities requirements shall be to ensure that all such development occurs in a manner that is consistent with the orderly, incremental, efficient, effective, environmentally sound, and fiscally responsible maintenance and expansion of public infrastructure facilities.

(C) To adopt by ordinance or resolution such interim development controls as may be reasonably necessary to protect and promote the public welfare during the period required to formulate, adopt, and implement the public infrastructure facilities planning and coordination program authorized pursuant to subitem (A) and the adequate public facilities requirements authorized pursuant to subitem (B). Any such interim development controls shall cease to be effective upon actual implementation of such planning and coordination program and adequate public facilities requirements or after twenty-four (24) months, whichever shall first occur.

(D) As used in this item, the term "public infrastructure facilities" includes, but is not necessarily limited to, the following publicly supported systems, utilities, and services:

- (i) Schools;
- (ii) Libraries;
- (iii) Electricity;
- (iv) Water, sewers, and wastewater treatment;
- (v) Solid waste collection and disposal;
- (vi) Storm water drainage;

- (vii) Roadways and transportation networks;
- (viii) Law enforcement;
- (ix) Fire protection;
- (x) Emergency response; and
- (xi) Parks and recreation.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the City Council of Maryville. Its approval or nonapproval shall be proclaimed by the presiding officer of the City Council and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.